It is hoped, that the two honorable members are answered, and that their difficulty has vanished.

The gentleman from Kent, in order to justify himself in the position which he occupies on this question, as he has done on another occasion, contends that a State Constitution is to be considered as a compact or contract. If he can make this out, then it is clear that the people cannot alter it, except in the mode provided. But if he fail in this, then his whole ground is taken from under him, and the point must be given up. It will be remembered, that he, (Mr. S.,) some days ago, stated that it appeared to him strange that our State Constitutions were treated as *compacts* or *contracts*. It was new to him, and the idea was all wrong. He then referred to Justice Blackistone to define the difference between law and compact. His point was, that governments were founded in compact, but as soon as organised, they cease to have such a character and become fundamental law. He also then said, that in reference to the Constitution of the United States, there was, in this country, many who held *it* to be a compact. The distinguished member from Cecil, had taken the same position with him, as to the foundation of government, and had asserted, that after it was organised, it became organic law and was no longer a compact. In this, his friend from Cecil, was too explicit to admit of doubt. He had never held that government was not founded on agreement. His doctrine was, that the agreement terminated when the government was ordained, and yet, the gentleman from Kent, (Mr. Chambers,) had spent along time in asserting a proposition which no one disputed, that government was founded in compact; and then in order to sustain his idea that the State Constitutions are compacts, he had departed from the question, and sought authority in the conflicting doctrines of distinguished statesmen, as to whether the Constitution of the United States were a compact. It is unquestionably true, that this is the doctrine of very many of the most distinguished statesmen of the southern school. But does Judge Story assert such a proposition? Does he any where hold to such a doctrine, in reference to the Constitution of the United States? It is true that he has elaborated the subject, and has devoted many pages to the notice of Judge Tucker, and other writers. But after having shown his, (Judge T's,) opinions, he proceeds to criticise and to show their error. In section 319 of his commentaries, he says, "such is a summary of the reasoning of the learned author, (Judge Tucker,) by which, he has undertaken to vindicate his views of the nature of the Constitution." And again in section 320, he says, "it will be sufficient for all the practical objects we have in view, to suggest the difficulties of maintaining its leading positions, to expound the objections, which have been urged against them." He then proceeds in the following sections, to point out the consequences which must flow from such premises, and the obvious deductions, that "if it be a compact between the States, it operates as a mere treaty, and binds such State only, so long as its consent continues; that such State has the right to judge for itself, in relation to the nature, extent and obligations of the instrument, without being at all bound by the interpretation of the Federal Government, or by any other State; and that each retains the power to withdraw from the confederacy, and to dissolve the connection when such shall be its choice, and suspend the operations of the Federal Government, and nullify its acts when in its own opinion, the exigency of the case may require." Will the learned gentleman consent to adopt such conclusions as these. He has cited Judge Story to prove his position, that the Constitution is a compact. But it will be found, on examination, that it is not the opinion of Judge Story from which he can derive support, but on the contrary, the doctrines of jurists whose views are controverted throughout by the distinguished author—will the gentleman hold to *them*, or to Judge Story? To which class does *he* belong? Is he willing to take the consequences, as illustrated by Judge Story of the doctrine of compact? That distinguished jurist, leaves no doubt upon this question. He positively negatives the idea of the Constitution, being treated or considered as a compact. In sec. 339, he says, "a Constitution is in fact a fundamental law or basis of government, and falls strictly within the definition of law, as given by Mr. Justice Blakistone." It will be borne in mind, that *this* is the very authority which was quoted by him, (Mr. S.,) in the earlier part of this debate. "It is, (says the author,) "a rule of action prescribed by the supreme power in a State: regulating the rights of the whole community. It is a *rule* as contra-distinguished from a temporary or sudden order—permanent, uniform and universal. It is also called a *rule* to distinguish it from a compact on agreement; for a compact is a promise proceeding from us; law is a command directed to us." And in sec. 340, he says, "it is in this light that the language of the Constitution of the United States, manifestly contemplates it; for it declares, (article 6th,) "that this Constitution and the laws, made under the authority of the United States shall be the supreme *law* of the land."

And so at sec. 348, in speaking of the manner in which it was understood by the great men who accomplished the revolution, he says, "they supposed from the moment it became a Constitution it ceased to be a compact and became a fundamental law." And in sec. 352, he emphatically says, "there is nowhere found upon the face of the Constitution, any clause intimating it to be a compact, or in any wise providing for its interpretation, as such."

Such are the conclusions of the author on whom the gentleman relies. He utterly annihilates the idea of a Constitution being considered a compact. It is not for him, (Mr. S.,) to express any opinion of the soundness of Judge Story's conclusions, as to the character and effect of the Constitution of the United States. His only purpose now, was to show, that the gentleman is not sustained by the author in his position.

Mr. S. then said, his learned friend, from Cecil, had cited the opinions of Mr. Webster on